

From: L. Nathan Hare <lnhare@caowny.org>

Date: Fri, Oct 19, 2018 at 1:23 PM

Subject: Notice of Termination

To: Ashley Perkins <ashliyah307@gmail.com>, Howard Patton III <HPTTN3@gmail.com>, Jennifer Shank <jshank426@gmail.com>, Julian Patterson <julpat60@yahoo.com>, Melissa Brown (positiveimages09@gmail.com) <positiveimages09@gmail.com>, Michael Johnson <mjohnson@osc.state.ny.us>, Nicole Drye <nicoledrye@yahoo.com>, Vernee Shaw <vshaw@city-buffalo.com>, Catherine Roberts <croberts@caowny.org>, LaDonna Huff <lhuff@caowny.org>, Deirdre Zaleski <dzaleski@caowny.org>, Deanne Montgomery <dmontgomery@caowny.org>, Phyllis McBride <pmcbride@caowny.org>, Susan Mund <smund@caowny.org>, J Dunn <jenined6@yahoo.com>
CC: Perry, Adam <APerry@hodgsonruss.com>, boydm@assembly.state.ny.us <'boydm@assembly.state.ny.us'>, cps1222@gmail.com <cps1222@gmail.com>

Dear members of the CAO Board and Senior Staff of the Community Action Organization:

This morning I was visited by Jenine Dunn, Jennifer Shanks, Melissa Brown and another individual whom I did not know.

Jenine handed me a termination notice effective at the end of business today.

Attached to the notice was a September 15, 2017 memorandum entitled "Discussion, 9/14/17" which purported to summarize a discussion regarding Jenine's assertion of Board concerns. The discussion points listed in the "September 15, 2017" memo merely reiterated the steps I had taken or were underway to address the concerns discussed.

Additionally, a copy of a notice from Erika Novello of the Child & Adult Food Program was attached, relating her concern that she was unable to reach the CAO contact person of record and that our October, 2017, reimbursement from CACFP might be jeopardized. The Head Start Office had already been in contact with Ms. Novello and the issue had already been addressed. There was no disruption in our CACFP reimbursement (See page 9 of the "Response to Jenine Dunn 2-28-18").

In Jenine's termination notice memorandum, she asserts that the Board is not receiving "timely" month to date fiscal reports. In fact the monthly reports provided to the finance committee of the Board include both month to date and year to date fiscal reports, and have been provided to the Board's finance committee seven days prior to the Board's meetings since October, 2017.

This memorandum points to a loss of a member item grant from the Office of Children and Family Services. This is an after budget member item initiative that Crystal had been able to get through for two years, but was unable to get through the Assembly Ways and Means Committee last year. She has assured us that it will be in the general budget for the year starting April 1, 2019. We have maintained the H.I.R.P. program with other revenues during this period.

The issue raised in this memorandum concerning the Board seat held by John Calvin-Davis makes no sense. Why is my character involved by explaining to the Board that a John Calvin Davis was designated to Board by Judge Craig Hannah? I advised the Board that Judge Hannah had the right to withdraw his designation of someone to the Board and to recommend someone else. If the Board no longer wanted to have elected official representation from Judge Hannah, the Board had the right to seek elected official representation from a different elected official. John Calvin Davis, however, had no right to the seat in the absence of his being designated by Judge Hannah. In what way does my information to the Board reflect on my "character"?

The assertion that the Board has had a need to discuss my performance does not reflect reality. I have met once with Jennifer Shanks and once with Jenine Dunn and Jennifer Shanks concerning primarily finance operations issues. The issues that Jennifer Shanks raised were based on a four year old incident

of not being able to find a particular file, and her assertion that finance reports were not timely. A meeting with Jenine resulted in a supposed "clearing of the air" as a result of my objection to the repeatedly ranting and bullying behavior of a Board member. My concern was and is that such behavior creates a hostile work environment for affected employees that can come back as an expensive law suit against the agency.

Beyond these two meetings, there have been discussions during Board Committee meetings. However, none of these discussions were in the form of an assertion of underperformance of my duties.

In the attached "Response to September 2018 evaluation" you will see that we have implemented or are in the final stages of implementation of every single recommendation we adopted as a result of the process audit I had conducted concerning fiscal, human resources, IT and purchasing.

Additionally, as you will see in my "Performance Evaluation Review 5-21-17, I have reported on the Process Audit and subsequent recommendations at every regular Board meeting since November, 2016.

On the basis of what I have documented above and with the attachments hereto, I am requesting that you delay your decision concerning my tenure until the full Board can meet with me, have the concerns being asserted in this termination memorandum formally stated, and provide me with the opportunity to respond to the full Board.

I believe I have given the Community Action Organization every bit of my energy, passion and persistent commitment to the CAO's goals and its integrity as an organization. Providing me with the opportunity to hear what are the assertions against my performance, to see my responses and determine what, if any, employment action against me is appropriate is the least I believe this Board should do.

Sincerely,

L. Nathan Hare